

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jovan Badillo,

Civil No. 14-4824 (DSD/TNL)

Petitioner,

v.

Warden Kent Grandlienard,

ORDER

Respondent.

Jovan Badillo, #217620, MCF- Oak Park Heights, 5329 Osgood Avenue North, Stillwater, MN 55082 (*pro se* Petitioner).

Matthew Frank and James B. Early, Minnesota Attorney General's Office, 455 Minnesota Street, Suite 1800, St. Paul, MN, 55101; Jean E. Burdorf, Hennepin County Attorney's Office, 300 South Sixth Street, Suite 2000, Minneapolis, MN 55487 (for Respondent).

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated July 24, 2015 [Docket No. 16], along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Petitioner's Motion for Writ of Habeas Corpus [Docket No. 1] is **DENIED**;

[Docket No. 1] is **DENIED**;

2. Petitioner's Motion to Vacate the Sentence and Judgment of the State of Minnesota [Docket No. 4] is **DENIED**;

3. This action is **DISMISSED WITH PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 31, 2015

s/David S. Doty

David S. Doty, Judge

United States District Court